

REMARKS

Claims 1-3, 5-7, 9, 10, 12-17, 19-22 and 24-26 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Claim 13 was objected to as being dependent upon a rejected base claim. Applicant note with appreciation the indication of the allowability of claim 13.

Claims 1-3, 6, 7, 9, 14-17, 19-22, 24 and 26 were rejected under 35 U.S.C. §102 (b) as being anticipated by Calvignac et al. (U.S. Patent No. 6,044,079). Claims 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Calvignac et al. in view of Chiu et al (US Patent No. 6,597,689). Claim 12 was rejected under §35 U.S.C. 103(a) as being unpatentable over Calvignac et al. in view of Soirinsuo et al. (U.S. Patent No. 6,148,001). These rejections are respectfully traversed for the following reasons.

Claim 1 recites a method of handling ATM traffic comprising one or more Virtual Path Connections (VPCs) being streams of packets of AAL5 type composed of ATM cells, the method comprising handling the traffic at a network node at VP-layer being the layer of VPCs, wherein the node being initially unaware about type of VC services inside a Virtual Path Connection VPC. The method including providing a database, monitoring each of the cells incoming the node and determining at least VC-layer and VP-layer parameters of a cell being monitored, processing information on said determined parameters, registering the processed information concerning each of the cells in the database, by using the registered information, forming statistical data with

respect to at least combinations of the VC-layer and VP-layer parameters of the packets being handled at the node, so that most frequent of said combinations are registered in the data base, thereby making the network node, handling the ATM traffic at VP-layer, aware about nature and behavior of various AAL5 streams in a particular VP connection, analyzing the statistical data, performing an AAL5 packet discard policy at the VP layer by making decisions on discard of the cells being monitored, the decisions depending on results of analysis of the statistical data, taking into account frequency of appearance, in the data base, of a combination of VC-layer and VP-layer parameters of a particular cell being monitored. This is not taught, disclosed or made obvious by the prior art of record.

Applicant strongly disagrees with the Examiner's opinion that the newly cited reference of Calvignac anticipates the main claims and most of dependent claims of the present invention.

In particular, Calvignac does not describe/suggest the distinctive feature of Applicant's invention, namely,— the feature of performing statistic analysis of data base and utilizing frequency of appearing specific combinations of VC/VP parameters in the data base (hash table) for discard decisions.

In the Office Action, the Examiner cites Column 8, lines 20-24, and Figs 7A, 7B of Calvignac as allegedly showing that Calvignac "does performs such statistics and does utilizes frequency of appearing combinations of VC/VP (in the table) for discard decisions". Applicant respectfully disagrees. The cited text portions and Figs 7A, 7B refer to absolutely different features and properties of Clavignac's technique

which do not have anything in common with Applicant's distinctive feature underlined above.

Calvignac discusses cases of frames collision. He builds a data base (a VCC hash table), records each arriving data frame and then utilizes status of a newly arriving frame (beginning-of-frame, end-of-frame) for the frame discard.

Nothing is said in Calvignac about making any statistics of records in the hash table, and/or about utilizing frequency of appearing various VC/VP combinations for decisions of discard as those terms are used in the present claimed invention. The only "statistics" mentioned by Calvignac is his estimate of probability of a hash collision for N records in the table being a probability of VCCs simultaneously in transit (see column 7, line 45). Such an estimate is totally different from Applicant's statistics: it cannot and does not serve for making any discard decisions, but just exists as an estimate.

Moreover, if collision/congestion is detected, Calvignac discards all of the colliding frames (see column 7, lines 46 to 55).

As to the quality of the Calvignac's method of discard, it is absolutely careless since it is only focused on the status of a cell/frame. According to Calvignac, discard is started at the beginning of any frame and terminated at the end of any frame which just "belongs" to a specific entry of the hash table. However, there is no knowledge what that frame is, to which specific VC it belongs, whether the VC is frequent for the hash table or not. Moreover, other frames (of other VCs) suffer with it

and some of the packets may be discarded partially. (More detailed analysis of the Calvignac's method can be found in the *Appendix*).

In other words, Calvignac does not try resolving congestion/collision with care. He just starts discarding frames whenever a congestion/collision is detected.

Contrary to Calvignac, Applicant's invention makes statistical analysis of the data base to note which packets (which VCCs) are most frequent in the data base at a specific VP layer, and discard them. Due to that analysis, the inventive method is capable of coping with congestion situations by helping to decrease the jam cleverly, namely by deleting long massive and thus more frequent VCs, and not damaging other traffic.

Claims 1 and 26 have been amended to reflect such differences. See support for the amendment in the original description, for example on page 12, lines 11-22; page 17 lines 5-7. Accordingly, Applicant respectfully submits that claims 1 and 26 are patentable over the cited art. Applicant respectfully submits that claims 2-3, 5-7, 9, 10, 12, 14-17, 19-22, and 24-25 are believed to be patentable over the prior art of record whether taken alone or in combination as proposed in the Office Action at least for the reasons discussed above with respect to claims 1 and 26.

In view of the above amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

Appln. No. 10/564,893
Amdt. dated May 7, 2010
Reply to Office Action of January 12, 2010

If the Examiner has any questions, he is invited to contact the undersigned
at 202-628-5197.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By /Ronni S. Jillions/
Ronni S. Jillions
Registration No. 31,979

RSJ:srd
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\Elec\Stein10\PTO\2010-05-07Amendment.doc